

## JAEZ &amp; ASSOCIATES

## FACSIMILE TRANSMITTAL SHEET

TO:	HONORABLE COMMISSIONER FOR PATENTS AND TRADEMARKS - DEPOSIT ACCOUNT BRANCH	FROM:	MARTIN J. JAEZ - JAEZ & ASSOCIATES
FAX NUMBER:	(571) 273-6500	DATE:	MARCH 6, 2007
COMPANY:	U.S. PATENT AND TRADEMARK OFFICE	TOTAL NO. OF PAGES INCLUDING COVER:	6
PHONE NUMBER:		OUR REFERENCE NUMBER:	VIA-018-CIP
RE:	APPLN. NO. 10/080,728	YOUR REFERENCE NUMBER:	

☐ URGENT   ☐ FOR REVIEW   ☐ PLEASE COMMENT   ☐ PLEASE REPLY   ☐ PLEASE RECYCLE

NOTES/COMMENTS:

**SPECIAL NOTICE:** THIS MESSAGE CONTAINS PROPRIETARY AND CONFIDENTIAL INFORMATION. THIS MESSAGE IS INTENDED FOR THE USE OF THE INDIVIDUAL OR ENTITY TO WHICH IT IS ADDRESSED AND CONTAINS INFORMATION THAT IS PRIVILEGED, CONFIDENTIAL AND EXEMPT FROM DISCLOSURE UNDER APPLICABLE LAWS. IF THE READER OF THIS MESSAGE IS NOT THE INTENDED RECIPIENT, OR THE EMPLOYEE OR AGENT RESPONSIBLE FOR DELIVERY OF THE MESSAGE TO THE INTENDED RECIPIENT, YOU ARE HEREBY NOTIFIED THAT ANY DISSEMINATION, DISTRIBUTION OR COPYING OF THIS COMMUNICATION IS STRICTLY PROHIBITED. IF YOU HAVE RECEIVED THIS COMMUNICATION IN ERROR, PLEASE NOTIFY US IMMEDIATELY BY TELEPHONE, AND RETURN THE ORIGINAL TO US AT THE ADDRESS BELOW VIA THE U.S. POSTAL SERVICE. THANK YOU.

4265 GREENWICH DRIVE • SUITE 100D • SAN DIEGO, CA. 92122  
PHONE: (858) 433-2004 • FAX: (858) 433-1280 • SECONDARY FAX: (619) 286-9956

**Jaquez & Associates**  
Intellectual Property Matters

6265 Greenwich Drive • Suite 100D • San Diego • California 92122

(858) 453-2004 • (858) 453-1280 (fax) • barbara@jaquez-associates.com

March 6, 2007

VIA FACSIMILE (NO. (571) 273-6500)

Honorable Commissioner of Patents and Trademarks  
U.S. PATENT AND TRADEMARK OFFICE  
Deposit Account Branch  
P.O. Box 1450  
Alexandria, VA 22313-1450

Re: Inquiry into Discrepancies for Deposit Account No. 50-0490  
for Application No. 10/080,728  
Our Reference No.: VIA-018-CIP

Dear Sir or Madam:

Upon review of our Deposit Account Statement dated February 2007 for Account No. 50-0490, a discrepancy has been found and is described below.

On February 7, 2007, our account was charged \$180.00 for fee code 1806, for submitting an Information Disclosure Statement (attached). As can be seen by reviewing the attached IDS, no authorization to charge our deposit account was provided. The \$180 fee therefore was erroneously deducted from our deposit account. In addition, the deposit account was erroneously reduced below a \$1,000 balance as noted in the attached request for refund dated March 5<sup>th</sup>, 2006. Therefore, the additional \$25 service charge was also erroneously deducted from our deposit account.

Therefore, please credit our deposit account, Deposit Account No. 50-0490, in the amount of \$205.00 (\$180.00 for the original IDS fee that was incorrectly charged, and \$25.00 for the erroneously assessed service charge) to refund the funds that were erroneously deducted from the deposit account. Please contact us at the numbers provided should you have any questions or concerns regarding this request. Your prompt assistance is greatly appreciated.

Sincerely,

JAQUEZ & ASSOCIATES

  
Martin J. Jaquez

Enclosures

JAQUEZ & ASSOCIATES  
6265 Greenwich Drive, Suite 100D  
San Diego, CA 92122  
(858) 453-2004 (voice)  
(858) 453-1280 (fax)  
E-mail: [marty@jaquez-associates.com](mailto:marty@jaquez-associates.com)

VIA-018-CIP

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

**COPY**

Applicant :	Brian C. Banister	<p>I hereby certify that this correspondence and all marked attachments are being deposited with the United States Postal Service with sufficient postage as first-class mail in an envelope addressed to: Mail Stop Amendment, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.</p> <p>On: January 24, 2007 <i>Barbara S. Kelly</i> Barbara S. Kelly</p>
App. No. :	10/080,728	
Filed :	February 22, 2002	
For :	METHOD AND APPARATUS FOR IMPROVING TRANSMIT ANTENNA WEIGHT TRACKING USING CHANNEL CORRELATIONS IN A WIRELESS COMMUNICATION SYSTEM	
Group Art :	2611	
Confirmation No. :	8379	
Examiner :	Burd, Kevin Michael	

**SUPPLEMENTAL INFORMATION DISCLOSURE STATEMENT**

Mail Stop Amendment  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Pursuant to 37 C.F.R. §1.56 and in accordance with 37 C.F.R. §§1.97-1.98, information relating to the subject application is hereby disclosed. Inclusion of information in this statement is not to be construed as an admission that this information is material as that term is defined in 37 C.F.R. §1.56(b).

(X) This Information Disclosure Statement is being filed after the receipt of a Final Office Action in accordance with 37 CFR 1.97(d). The information submitted herewith was cited in applications related to the present application more than three months prior to the filing of this information disclosure statement. This information disclosure statement and the information contained herein is being submitted in accordance with 37 CFR 1.97 (d) and (h), and the undersigned hereby requests the Examiner to consider the information contained herein, and if not considered to place the information in the file for the above-referenced patent application.

(XX) According to 37 CFR 1.98(2), copies of the U.S. patent references listed on the attached Form SB-08A are not hereby submitted. All of the listed and attached references cited on Form SB-08B are in the English language.

Date: January 24, 2007

Respectfully submitted,

*Martin J. Jaquez*  
Signature Martin J. Jaquez  
Registration No. 38,060

JAQUEZ & ASSOCIATES  
6265 Greenwich Drive, Suite 100D  
San Diego, CA 92122  
(858) 453-2004 (voice)  
(858) 453-1280 (facsimile)



**COPY**

PTO/SB/085 (09-06)

Approved for use through 03/31/2007, OMB 0651-0031  
U.S. Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE

Under the Paperwork Reduction Act of 1996, no persons are required to respond to a collection of information unless it contains a valid OMB control number.

Substitute for form 1449/PTO

**INFORMATION DISCLOSURE  
STATEMENT BY APPLICANT**

(Use as many sheets as necessary)

Sheet 2 of 2

**Complete if Known**

Application Number	10/080,728
Filing Date	February 22, 2002
First Named Inventor	Banister
Art Unit	2611
Examiner Name	Burd, Kevin Michael
Attorney Docket Number	VIA-018-CIP

**NON PATENT LITERATURE DOCUMENTS**

Examiner Initials*	Cite No. <sup>1</sup>	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published.	T <sup>2</sup>
	6	Heath, et al., "A Simple Scheme for Transmit Diversity Using Partial Channel Feedback", Information Systems Laboratory, IEEE, 1998, pp. 1073-1078.	
	7	Gerlach, et al., "Base Station Transmitting Antenna Arrays for Multipath Environments", Signal Processing, Vol. 54, No. 1, published by Elsevier, October 1996, pp. 59-73.	
	8	Gerlach, "Adaptive Transmitting Antenna Arrays with Feedback", IEEE 1994, pp. 150-152	
	9	Gerlach, "Adaptive Transmitting Antenna Methods for Multipath Environments", IEEE, Globecom, 1994, pp. 425-429, vol. 1.	
	10	Derryberry, et al., "Transmit Adaptive Arrays without User Specific Pilot", 3GPP2-C30-19990817-030, Portland, Oregon, 8/16-20, 1999, pp. 1-4.	
	11	Hamison, "TX AA Parameter Recommendations", 3GPP2-C30-19990914-010, Tokyo, Japan, September 14, 1999, pp. 1-3.	

Examiner Signature -	Date Considered
----------------------	-----------------

\*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

<sup>1</sup> Applicant's unique citation designation number (optional). <sup>2</sup> Applicant is to place a check mark here if English language Translation is attached.

This collection of information is required by 37 CFR 1.98. The information is required to obtain or retain a benefit by the public which is to be (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 (1-800-785-9199) and select option 2.

**COPY**

**Jaquez & Associates**  
*Intellectual Property Matters*

6265 Greenwich Drive • Suite 100D • San Diego • California 92122

March 5, 2007

(858) 453-2004 • (858) 453-1280 (fax) • jaquez@san.tx.com

VIA FACSIMILE (NO. (571) 273-6500)

Honorable Commissioner of Patents and Trademarks  
U.S. PATENT AND TRADEMARK OFFICE  
Deposit Account Branch  
P.O. Box 1450  
Alexandria, VA 22313-1450

Re: Inquiry into Discrepancies for Deposit Account No. 50-0490  
for Application No. 10/658,154  
Our Reference No.: PER-005-PAP

Dear Sir or Madam:

Upon review of our Deposit Account Statement dated January 31, 2007 for Account No. 50-0490, a discrepancy has been found and is described below. For the reasons set forth below, we respectfully request a refund be credited to our deposit account.

On January 9, 2007, our deposit account was charged \$750.00 for a petition fee for our application no. 10/658,154. However, this payment was made by check no. 2283 with the petition as filed on January 4, 2007. A subsequent service charge in the amount of \$25.00 was charged to our deposit account because the erroneous \$750 fee reduced our deposit account balance to an amount which fell below \$1000.

Therefore, please credit our deposit account, Deposit Account No. 50-0490, in the amount of \$775.00 (\$750.00 for the original petition fee which was paid by check, and \$25.00 for the erroneously assessed service charge) to refund the funds that were erroneously deducted from the deposit account. Please contact us at the numbers provided should you have any questions or concerns regarding this request. Your prompt assistance is greatly appreciated.

Sincerely,

JAEQUEZ &amp; ASSOCIATES

  
Martin J. Jaquez

Enclosures

JAEQUEZ & ASSOCIATES  
6265 Greenwich Drive, Suite 100D  
San Diego, CA 92122  
(858) 453-2004 (voice)  
(858) 453-1280 (fax)  
E-mail: barbara@jaquez-associates.com

Document code: WFEE

United States Patent and Trademark Office  
Sales Receipt for Accounting Date: 02/07/2007

DSAVOY SALE #00000001 Mailroom Dt: 01/29/2007 500490 10080728  
01 FC:1806 180.00 DA

Adjustment Date: 03/28/2007 SDIRETA1  
02/07/2007 DSAVOY 00000001 500490 10080728  
01 FC:1806 180.00 CR